

THE SECRETARY OF STATE

WASHINGTON

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Dear Mr. Chairman:

COMMITTEE OF THE JUDICIARY

We are writing to inform you that we would welcome the opportunity to testify at the Judiciary Committee's oversight hearing on "Machine Readable and Biometric Requirements for Passports and Visas: The Capability of the Department of State and of Foreign Nations to Meet Deadlines Set by the Border Security Act and the USA Patriot Act".

We face a serious problem with the looming October 26, 2004 deadline for Visa Waiver Program (VWP) countries to begin issuing biometric passports. We believe none of the VWP countries will produce biometric passports by the October 26, 2004 deadline in sufficient numbers to meet the legitimate needs of their traveling nationals. It is not because of the lack of will, but rather due to interoperability issues, privacy issues, chip durability concerns, as well as production and procurement delays. Accordingly, we believe free-standing legislation is needed to extend or waive the biometric passport deadline for two years, and we need to begin the legislative process as quickly as possible.

Our VWP allies have informed us about their program development, and it appears that the majority of the VWP countries, including the UK, Japan, and Germany, will be issuing biometric passports in 2006. In the meantime, if our visitors from the UK, Japan, Germany and the other 24 members of the VWP have to obtain visas for each individual to whom a passport is issued after the deadline until their nation is producing biometric passports, we face grave consequences. The Department of State expects to have to process an additional 5 million visas next year alone, if the deadline is not extended, assuming the need to acquire a visa does not suppress demand for travel to the United States. In the latter scenario, it is important to note that the U.S. economy would likely suffer gravely if travelers "vote with their feet" and go elsewhere, possibly resulting in multi-billion dollar losses to our economy and reducing employment in one of our economy's most dynamic sectors.

The Honorable

Jim Sensenbrenner, Jr., Chairman,
Committee on the Judiciary,
House of Representatives.

Clearly, we need to address this problem. We believe that there are good reasons to extend the October 26, 2004 deadline until December 2006. A biometric deadline extension will enable our allies to develop viable programs and resolve the scientific problems to produce the more secure biometrically enabled documents that the original legislation mandated.

Although U.S. passports are not covered by this legislation, we have been working hard to issue our own biometric passports by October 26, 2004 as well. Our current plan is to begin pilot production late this year and to complete the transition to the passport with embedded biometrics by the end of 2005, although these plans are subject to revision based on the outcome of a procurement protest.

We thank you, in advance, for your consideration of this issue and we look forward to working closely with you on this matter.

Sincerely,



Thomas J. Ridge
Secretary of Homeland Security



Colin L. Powell
Secretary of State

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